

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED ON: 3/16/2023 INDEX NO.: 23-CV-1843

VINCENT CLEMENT, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY
SITUATED,

Plaintiff(s)-Petitioner(s)

-VS-

212 STEAKHOUSE, INC.

Defendant(s)-Respondent(s)

STATE OF NEW YORK
COUNTY OF SARATOGA

}
ss.}

I, MARK E. MCCLOSKY being duly sworn, deposes and says that deponent is over the age of
eighteen years and is not a party in this proceeding and resides in the State of New York.

On MARCH 20, 2023 at 1:25 P.M.
Deponent served a true copy of **SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT AND DEMAND FOR
JURY TRIAL**

bearing index number: 23-CV-1843 and date of filing: 3/16/2023
upon **212 STEAKHOUSE INC. C/O CORPORATION SERVICE COMPANY**
at address: **80 STATE STREET**
city and state: **ALBANY, NY 12207**

MANNER OF SERVICE

Personal

- ☐ By delivering to and leaving with personally
known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

- ☐ By delivering and leaving with personally
at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served
and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

- ☒ By delivering and leaving with ***LEGAL REPRESENTATIVE OF CSC**
the agent for service on the person in this proceeding designated under 311 CPLR . Service having been made to such person at
the place, date and time above.

Affixing to Door, Etc.

- ☐ By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above.
Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and
discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the
following dates and times:

Mailing

- ☐ Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository
under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential"
and mailed to the person stated above at address
on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action
against the recipient. The envelope was mailed by ☐ first class mail ☐ certified mail ☐ registered mail ☐ return receipt requested.
Certified/Registered mail #

Deponent further states upon information and belief that said person so served is not in the Military service of the State of
New York or the United States as the term is defined in either State or Federal statutes.

DESCRIPTION deponent describes the person actually served as:

Sex: FEMALE Race/Skin Color: BROWN Hair Color: BLACK
Approximate Age: 45 years Approximate Height: 5'4" Approximate Weight: 125 pounds
Other: ***UPON DIRECTION OF COUNSEL THE EMPLOYEES OF CORPORATION SERVICE COMPANY ARE NO LONGER ABLE TO PROVIDE THEIR NAME. WE ARE
ADVISED TO USE LEGAL REPRESENTATIVE OF CSC AS THE PERSON SERVED AND QUESTIONS ARE DIRECTED TO THEIR LEGAL TEAM AT 302-636-5400.**

Subscribed and sworn before me on} MARCH 20, 2023

Notary Public, State of New York
Karen E. Rock

Qualified in Schenectady County

Number 01R06065213

Expires: October 9, 2025

265260

NLS #: 23-2219

MARK E. MCCLOSKY
Deponent